

### REMARKS

This application has been reviewed in light of the Office Action dated May 24, 2006. Claims 1, 2 and 4-44 are present in the application, of which Claims 4-25, 27-31, 33-37 and 39-43 have been withdrawn from issue. Of the claim presented for Examination, Claims 1, 26, 32 and 38 are in independent form. Claims 1, 2, 26, 32 and 38 have been amended to define still more clearly what Applicants regard as their invention. Claim 44 has been added to provide Applicants with a more complete scope of protection. Claim 3 has been canceled without prejudice or disclaimer of subject matter, and will not be mentioned further. Favorable reconsideration is requested.

In the Office Action, Claim 38 were rejected under 35 U.S.C. § 101 as directed to non-statutory subject matter. That claim has been amended to recite that the claimed program is stored, in executable form, in a computer-readable storage medium. This is believed to obviate this rejection, the withdrawal of which is therefore respectfully requested.

Applicants note the Examiner's contention that Claim 38 is a substantial duplicate of Claim 32, but respectfully submit that it is normally permitted to include both a claim to a storage medium storing a computer program and a claim for the program. For example, a few minutes of searching in the PTO website identified the following such patents: U.S. Patents 7,095,965, 7,092,109, 7,085,414, 7,084,994, 7,082,608 and 7,081,970. Accordingly, it is submitted that both Claims 32 and 38 may properly be allowed to issue in this application.

In addition, Claims 1, 2, 26 and 32 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 5,381,242 (Fujii).

As explained in the specification, many types of office machines require servicing from time to time. This may range from the replacement of an exhausted toner cartridge in a printer or copier, to the re-adjustment of parts of the mechanism that have moved from their proper position or alignment, to the replacement of a mechanical part that has broken or worn out. While some such servicing may be handled by the business enterprise using its own staff, this may not be a practical approach for all types of problems. Moreover, a small business may prefer to have an external contractor provide all, or almost all, types of servicing of its office equipment. To set up and manage the necessary arrangements with the outside vendors to do this requires time and effort, and it would be desirable to be able to make this work as simple and inexpensive as possible, and the present invention is directed to various ways to achieve this. It should be understood, however, that the present invention is also applicable to managing and properly accounting for the costs of such servicing that is performed by a business's internal staff.<sup>1/</sup>

The aspect of the invention to which independent Claim 1 is directed, is a management system for managing maintenance of a printing apparatus, comprising a reception unit, a search unit and a generation unit. The reception unit receives a first ID, which specifies a first printing device having use history information showing that the first printing apparatus has been managed, i.e., has received such servicing under an existing contract or similar arrangement. The reception unit also receives a second ID, which specifies a second printing device that is not currently covered by an existing contract, but

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<sup>1/</sup> It is of course to be understood that the claim scope is not limited by the details of this or any other particular embodiment that may be referred to.

which it is desired to have managed. The first ID and the second ID are different from each other, and are transmitted to the reception unit via a communication line.

The search unit of the system of Claim 1 searches for first information related to a contract corresponding to the received first ID, and the generation unit generates second information related to a contract for the second printing device based on the searched first information. The relationship between the contract corresponding to the first ID, found by the search unit, and the contract that is generated by the generating unit for the second printing device, can take numerous forms, and Claim 1 is not limited to a specific relationship. For example, it is within the scope of this claim that the second contract may be related to the first one by being with the same vendor, or having the same unit cost for the servicing to be provided, or by having other terms identical to those of the first contract, or by providing a discount in the charges imposed based on the amount of servicing already provided for the first printing device, etc. It is to be understood, again, that this list of examples is not encyclopedic, and that the relationship between the two contracts can be any relationship that may be desired by the user of the system of Claim 1.

*Fujii* relates to a facsimile apparatus 1 and a maintenance charge control apparatus 3 capable of easily controlling and setting the maintenance charge of the apparatus. Fig. 4A shows the operation of the control apparatus 3. As illustrated in Fig. 4A, the maintenance charge is calculated on the basis of the number of sheets transmitted. A bill is issued based on the calculated maintenance charge, and a receipt is issued when the charge is paid. (See column 11, lines 21-55.) Fig. 4B shows the corresponding operation of the facsimile apparatus 3.

In the *Fujii* arrangement, a serviceman transmits contract contents to the control apparatus 3 by means of facsimile communication. The facsimile apparatus 1 receives "opening information" from the control apparatus 3 and registers this information (col. 10, lines 11-30). However, the opening information is provided for confirmation of the contract contents that have been entered by the serviceman: "Thus, the user and the serviceman can recognize the opening information set in the facsimile apparatus 1, that is, the contents of the contract." (Col. 10, lines 37-40.)

Applicants submit, first, that nothing has been found in *Fujii* that would teach or suggest the recited reception unit, which receives, via a transmission line, a first ID that identifies a first printing device that has been managed and a second ID that corresponds to a second printing device to be newly managed.

Moreover, nothing has been found in *Fujii* that would teach or suggest the recited search unit, which searches for first information related to a contract corresponding to a received first ID. Indeed, it does not appear to be the case that the *Fujii* system makes any provision for searching for a contract, as is done by the recited search unit. Much less has anything been found in *Fujii* that would teach or suggest the recited generation unit, which generates information related to a contract for the second printing device to be newly managed, based on the first information related to a contract corresponding to the first printing device.

For the reasons discussed above, Claim 1 is believed to be allowable over *Fujii*.

Independent Claims 26, 32 and 38 are method, storage-medium and program claims, respectively, corresponding to apparatus Claim 1, and are believed to be patentable for at least the same reasons as discussed above in connection with Claim 1.

A review of the other art of record has failed to reveal anything which, in Applicants' opinion, would remedy the deficiencies of the art discussed above, as references against the independent claims herein. Those claims are therefore believed patentable over the art of record.

The other claims under consideration in this application are each dependent from one or the other of independent Claims 1 and 26, discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual consideration or reconsideration, as the case may be, of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and allowance of the present application.

Applicants' undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

/Leonard P Diana/  
Leonard P. Diana  
Attorney for Applicants  
Registration No. 29,296

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3801  
Facsimile: (212) 218-2200

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